

Date : 08/21/2013  
Time : 9:35:42 AM

**First Baptist Church**  
**Expenses vs Budget-Media Dir**  
**October 2013**

Page : 1

Accounts	Actual Spent this month	This months Budget	Spent to Date	Budget to Date	Total Budget for 2013
<b>Expenses</b>					
<b>Outreach Ministries</b>					
582400 - TV Ministry Air Time	0.00	3,633.00	20,077.79	35,430.00	42,550.00
<b>Total Outreach Ministries</b>	0.00	3,633.00	20,077.79	35,430.00	42,550.00
<b>Total Expenses</b>	0.00	3,633.00	20,077.79	35,430.00	42,550.00
<b>Net Total</b>					

Date : 08/21/2013  
Time : 9:35:59 AM

**First Baptist Church**  
**Expenses vs Budget-Media Dir**  
**November 2013**

Page : 1

<b>Accounts</b>	<b>Actual Spent this month</b>	<b>This months Budget</b>	<b>Spent to Date</b>	<b>Budget to Date</b>	<b>Total Budget for 2013</b>
<b>Expenses</b>					
<b>Outreach Ministries</b>					
582400 - TV Ministry Air Time	0.00	3,633.00	20,077.79	39,063.00	42,550.00
<b>Total Outreach Ministries</b>	0.00	3,633.00	20,077.79	39,063.00	42,550.00
<b>Total Expenses</b>	0.00	3,633.00	20,077.79	39,063.00	42,550.00
<b>Net Total</b>					

Date : 08/21/2013  
Time : 9:36:18 AM

First Baptist Church  
Expenses vs Budget-Media Dir  
December 2013

Page : 1

Accounts	Actual Spent this month	This months Budget	Spent to Date	Budget to Date	Total Budget for 2013
<b>Expenses</b>					
<b>Outreach Ministries</b>					
582400 - TV Ministry Air Time	0.00	3,487.00	20,077.79	42,550.00	42,550.00
<b>Total Outreach Ministries</b>	0.00	3,487.00	20,077.79	42,550.00	42,550.00
<b>Total Expenses</b>	0.00	3,487.00	20,077.79	42,550.00	42,550.00
 <b>Net Total</b>					

TO: David Long

FROM: Maggie McDermott

DATE: August 29, 2013

RE: Closed Caption Quote

To follow-up on our conversation here's is our proposal to provide closed captioning and digital encoding for your weekly Sunday service.

Create Roll-Up Closed Captions \$250/hour  
Encode Captions to Quicktime file \$175/hour  
Total: \$425/hour program

On an annual basis this would be \$425/week x 52 weeks/year = \$22,100

The basic workflow would be for you to upload or ship us your digital file on a hard drive. We would create the closed captions and encode them to your file. We can ship this directly to your broadcast station for a Friday delivery.

Please let us know if you have any questions.

Best,

Maggie



101 Hillpointe Drive	Canonsburg, PA 15317	Phone 724.514.4000	Fax 724.514.4111
4605 Lankershim Boulevard, Suite 250	North Hollywood, CA 91602	Phone 818.755.0410	Fax 818.755.0411
1501 Wilson Boulevard, Suite 1003	Arlington, VA 22209	Phone 703.807.2766	Fax 703.807.2761

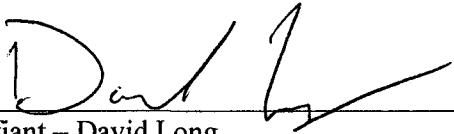
## AFFIDAVIT OF DAVID LONG

On this day, before me personally appeared David Long, and as such he makes this

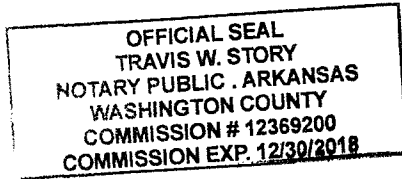
Affidavit:

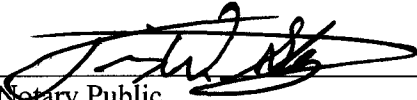
1. I am over the age of 18, competent, and make these statements without duress.
2. My name is David Long. I am the Media Director of the First Baptist Church of Rogers, AR.
3. I have read the above and forgoing *Petition for Waiver of Closed Captioning Rules* and the facts stated therein are true and correct to the best of my knowledge.
4. I am the Individual who is responsible for the recording and the production of the Sunday morning television show Real Life Connection, that airs on our local NBC affiliate KNWA-TV.
5. I have personal knowledge of the cost estimates for the captioning as cited in Exhibit B and E, and based upon my investigation the efforts to determine if such closed captioning programing could be included without "undue burden" are true and accurate reflections of the quotes received.
6. I have inquired as to any form of distributor assistance from our local NBC affiliate, KNWA-TV, and they have stated that they do not have the capability of assisting with the captions, and that we would be required to find a third party to assist with captioning our broadcast.
7. We have not sought additional sponsorships because our broadcast is something we have made a part of our annual church budget out of the tithes and offerings of our members.
8. Without the exemption, the cost of the closed captioning represents an economically burdensome cost upon FBC.
9. I declare under penalty of perjury that the information contained in this submission is true and correct.

*Further, the Affiant sayeth not.*

  
Affiant – David Long

WITNESS my hand and official seal this 5, day of November, 2013.



  
Notary Public

MY COMMISSION EXPIRES:

## AFFIDAVIT OF JERRY MEDLIN

On this day, before me personally appeared Jerry Medlin, and as such he makes this

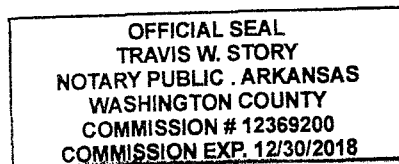
Affidavit:


1. I am over the age of 18, competent, and make these statements without duress.
2. My name is Jerry Medlin. I am the Associate Pastor of Administration of the First Baptist Church of Rogers, AR.
3. As the Associate Pastor of Administration, one of my responsibilities is to legally sign documents binding the church to contracts or other legal documents.
4. I am familiar with the Assets and Liabilities of FBC, and state that there are no assets in excess of the \$42,500.00 which can be allocated to the Broadcast, there is nothing that can be sold which would not hurt our primary function as a Church, and because of our position in the community we ask that we not be made to provided our financial statement.
5. I have read the above and forgoing *Petition for Waiver of Closed Captioning Rules* and the facts stated therein are true and correct to the best of my knowledge.
6. I declare under penalty of perjury that the information contained in this submission is true and correct.

*Further, the Affiant sayeth not.*

  
Affiant Jerry Medlin

WITNESS my hand and official seal this 5th, day of November, 2013.



  
Notary Public

MY COMMISSION EXPIRES:

Exhibit G





NOV - 6 2013

FCC Mail Room

*Before the  
Federal Communications Commission  
Washington, D.C. 20554*

In the Matter of: )  
 )  
First Baptist Church of )  
Rogers, Arkansas, Inc. ) CG Docket \_\_\_\_\_  
An Arkansas Non-Profit Corporation )  
 )  
Petition for Exemption Pursuant to )  
Section 79.1(f) of the Commission's Rules )

Directed to: Office of the Secretary  
Attention: Chief, Consumer and Governmental Affairs Bureau

**PETITION FOR WAIVER OF CLOSED CAPTIONING RULES**

First Baptist Church of Rogers, Arkansas, Inc. ("FBC"), by its attorneys and pursuant to Section 79.1(f) of the Commission's Rules, hereby respectfully request a waiver of the Commission's rules and policies requiring closed captioning for all new video programming broadcast on television for FBC's program "Real Life Connection" ("Broadcast") complying with this requirement. With respect thereto, the following is stated:

**Introduction**

This is a Petition for Waiver of the Commission's Rules related to closed captioning of video programming, Section 305 of the Telecommunications Act of 1996 – Programming Accessibility. In accordance with Title 47, Section 79.1(f) of the Code of Federal Regulations, the Petitioner, FBC submits this Petition for Waiver and respectfully request that the Waiver be granted. The enactment of Section 713(d)(3) of the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) acknowledges that in certain situations, the cost of captioning would be economically burdensome. This is the same standard imposed under the

previous “undue burden” standard on video programming providers, which was defined as “significantly difficult or expensive.” 47 U.S.C. §613(e). The Commission’s Rules expressly state that exemptions may be granted, in whole or in part, for a channel of video programming, a category or type of programming, an individual video services, a specific video program, or a video programming provider, upon a finding that the closed captioning requirements will result in something that is now “Economically Burdensome.” See also Commission’s action in *Angels for Christ Ministries, Inc.*, FCC 11-159, released October 20, 2011.

The factors the Commission may consider in its determination of whether the requirement for closed captioning is economically burdensome are the same factors used previously under the “undue burden” test which are as follows:

1. The nature and cost of the captioning for the programming;
2. The impact on the operation of the provider or program owner;
3. The financial resources of the provider or program owner;
4. The type of operations of the provider or program owner;
5. Any available alternatives; and
6. Other factors the Petitioner deems relevant.

Accordingly, Petitioner, FBC, submits this Petition for Waiver and respectfully requests that a waiver be granted pursuant to Title 47, §79.1(f) of the Code of Federal Regulations.

#### **Background**

FBC, an Arkansas non-profit corporation. See Articles of Amendment with Restatement attached as **Exhibit A**, and incorporated by reference as if set out word-for-word herein. FBC has for the previous thirty-one (31) years aired its weekly broadcast through its broadcast ministry, on the local ABC and NBC affiliates, which aired in Fort Smith, Fayetteville,

Springdale, and Rogers Arkansas. Nielsen ranked this market as the 101<sup>st</sup> largest market according to the Designated Market Area (“DMA”) in their January 1, 2013 report. In 2006, FBC was granted a waiver from the closed captioning requirements, however, the FCC exemption was reversed by order of the Commission. See case Identifier: CGB-CC-0094.

### **Discussion**

The Commission is authorized to adopt appropriate exemptions, which include an analysis of the following factors:

1. The nature and cost of the captioning for the programming;
2. The impact on the operation of the provider or program owner;
3. The financial resources of the provider or program owner;
4. The type of operation of the provider or program owner; and
5. Other factors that the Petitioner deems relevant.

Petitioners respectfully submit that, upon review of the applicable factors in relation to its Broadcast of the one hour re-broadcast of the church worship service on the following Sunday, and in light of the limited nature of the programming, and the extremely tight timeline, an exemption is warranted.

#### **A. Nature and Cost of the Closed Captioning for the Program**

In efforts to obtain closed captioning services and in search of alternative options, Petitioner, FBC, requested a quote from Aberdeen, a company providing closed captioning services, who estimated a cost of \$584.01 per broadcast. See Price Quote ID 01926, attached as **Exhibit B**, and incorporated by reference as if set out word-for-word herein. This includes the creation of roll-up closed captions and transcriptions. Annualized, the cost to FBC would be \$30,368.52. This amount constitutes approximately 81% of FBC’s 2012 budget and 71%% of

FBC's 2013 budget for their entire broadcast. See TV Ministry Budget and expenses for year: 2012 attached as **Exhibit C**, and 2013 attached as **Exhibit D**, and both Exhibits C and Exhibit D are incorporated by reference as if set out word-for-word herein.

In efforts to find more cost-efficient alternatives, FBC requested a quote from VITAC, a separate company providing closed captioning services, who estimated a cost of \$250.00 for the creation of roll-up closed captions and \$175.00 for encoding the captions to Quicktime files per broadcast. This amount does not reflect the additional time and money FBC would expend to upload or ship the digital files on a hard drive to VITAC. All totaled, each week costs \$425.00 to comply with the captioning standards. Annualized, this amount is \$22,100.00 for 52 weeks of hour-long programs. See Letter to David Long dated August 29, 2013 attached as **Exhibit E**, and incorporated by reference as if set out word-for-word herein.

This cost comprises 49% of the 2013 cost in the airing of the program. This has resulted in undue hardship and may prevent the continuation of the Broadcast of the church services to the local region.

## **B. Impact on the Operation**

FBC began its broadcast ministry in 1982 in order to reach others outside of the church through television to bring them the good news and gospel message of Jesus Christ. Over the past thirty-one (31) years, FBC has always strived to be very timely in its messages, for many of those years airing live, but recently generally airing the message on a one-week delay. In order to facilitate the airing of the broadcast the week after it has occurred, the Broadcast has to be immediately edited, and the additional time required to caption the programs requires that each broadcast be delayed more than one week. This leaves the viewers, including its homebound and shut-in members, to fall out of touch with the current activities of the church. While many

people in the community tune in each week to hear the gospel message and receive the comfort, hope, and joy that it brings, there are also many viewers who keep up with the church and the Broadcast through FBC's media ministry, where currentness is relevant.

Additionally, when considering the length of time that the program has aired, thirty-one (31) years, it is reasonable to conclude that many longstanding members of FBC have come to rely on the media ministry and the airing of the broadcasts. As the broadcasts have been aired for as long as many people in the church have been members, it is reasonable for the church to rely on the very quick turnaround times for the broadcasts for different circumstances, including members' inability to be at services in person due to injury, health, and weather. The broadcasts also serve as tools to assist in Bible studies and simple member convenience. Lastly, looking forward, as the broadcasts have been airing for thirty-one (31) years, members expect that they will continue to air and be available in the future. Members may rely on FBC's ability to continue to air the broadcasts in situations such as inclement weather, poor health, injury, or inconvenience.

Another alternative would be to purchase software to do the captioning in-house, but this process would require additional services in filming and editing the program. The bid for this alternative was around the same price as one (1) year of captioning cost, plus additional expenses of \$30.00 to \$35.00 per hour in cost for the employee cost to facilitate the captioning work to be done.

The cost of captioning using any alternative would result in undue hardship and may prevent the continuation of the Broadcast of the church services to the local region.

### **C. Financial Resources**

While the FBC media ministry resources are enough to pay for equipment, labor, and cost to support weekly broadcasts, the operation is simply not large enough to support closed captioning. Funding for the program is almost entirely derived entirely from funds from the Church, the donations and tithes given to the church. Accordingly, the media budget is derived from the size and ability of the congregation to fund the programs offered by FBC.

Attached hereto as Exhibit 1 is a year over year look from 2012 through July 31, 2013. While FBC's media ministry is operating at approximately 81% of its 2013 budget in 2013, the expense of captioning is significant and would severely burden FBC. The lowest bid obtained by FBC is \$22,100.00 annually, approximately 49.6% of its current media budget of \$42,550.00. Adding this cost to FBC would cripple the broadcast ministry because it would be economically burdensome to FBC, and would place the burden of paying for captioning on another area of ministry which serves its community and parishioners, or choosing to discontinue the Broadcasts all together.

While FBC increased its annual media budget from \$37,542.00 in 2012 to \$42,550.00 in 2013, approximately a 13% increase, FBC is currently operating at 81% of its budget as opposed to 77% of its budget in 2012. It is clear that the 13% budget increase is consumed by increased cost of operation. Adding closed captioning to the media expenses would increase the 2013 budget an enormous amount and, at a minimum, nearly 50% of its current budget. This amount does not reflect additional costs incurred for FBC's file preparation prior to sending it for closed captioning services or any necessary other expense increase.

It is clear that the Commission has provided an exemption for locally produced and distributed non-news programming with no repeat value. 47 C.F.R. §79.1(d)(8). This exemption

is available only to video programming distributors rather than video programming providers, but in FBC's case, the same reasoning would apply. FBC produces its programming locally and covers topical subjects, and its program would have little or no repeat value. Accordingly, if it were the broadcaster, the program would have a self-executing exemption. The policy determinations that support the exemptions for television broadcasters that might produce and broadcast a similar show also support an exemption for FBC's program.

Accordingly, FBC should be granted a three-year waiver from closed captioning requirements. FBC is hopeful that in the coming three years the size of the church will grow and giving will increase so that FBC will be able to offer closed captioning on its program. At the current time, however, as demonstrated above, the size and financial ability of the church makes it unable for FBC to afford the significant expense incurred from captioning its program. FBC is a non-profit entity that has reached out to provide a significant local service through its television ministry for the past thirty-one (31) years. Adding on the expense of captioning would simply be too costly at the current time and the program would be forced to go off air altogether, thereby depriving viewers of a local program upon which they have come to rely.


#### **Conclusion**

In summary, Petitioner, First Baptist Church Rogers, Arkansas, Inc. respectfully submits its Petition for Waiver of Closed Captioning Rules, and requests that it be exempted from the Captioning requirements of this Honorable Commission for its once per week, Sunday morning Broadcast of Real Life Connection, as aired on the Local NBC affiliate KNWA-TV. In support of this Petition, the Petitioner respectfully submits that an exemption is warranted pursuant to the applicable statutory and regulatory authority, as compliance at this time by Petitioner would be economically burdensome and Petitioner request a waiver under section 79(f). In support of

Petitioner's Request for Waiver, attached hereto are the affidavits of David Long, the Media Director, Attached as Exhibit F, and the affidavit of Jerry Medlin, the Associate Pastor of Administration, attached as Exhibit G, both affidavits incorporated by references as if set out word-for-word herein.

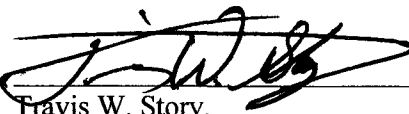
WHEREFORE, FBC respectfully requests a waiver of the Commission's closed captioning rules from the date of this Petition, and asked that the same be granted by this Honorable Commission.

Respectfully Submitted,  
First Baptist Church of Rogers, Arkansas, Inc.

  
\_\_\_\_\_  
Jerry Medlin,  
Associate Pastor of Administration

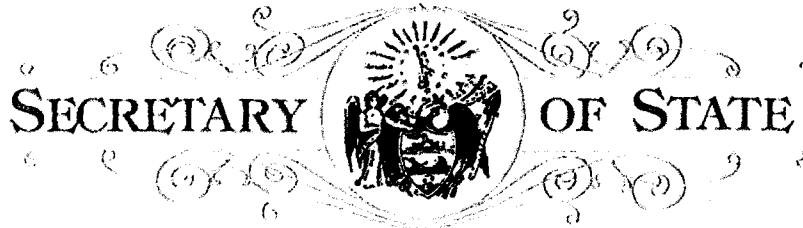
By and through their attorneys:

Story Law Firm, PLLC.  
P.O. Box 9210  
Fayetteville, Arkansas 72703  
Phone: (479) 845-5700  
Fax: (479) 845-2901

  
\_\_\_\_\_  
Travis W. Story,  
Arkansas Bar Number: 2008274



# STATE OF ARKANSAS



**Charlie Daniels**  
SECRETARY OF STATE

To All to Whom These Presents Shall Come, Greetings:

I, Charlie Daniels, Secretary of State of Arkansas, do hereby certify that the following and hereto attached instrument of writing is a true and perfect copy of

## Articles of Amendment with Restatement

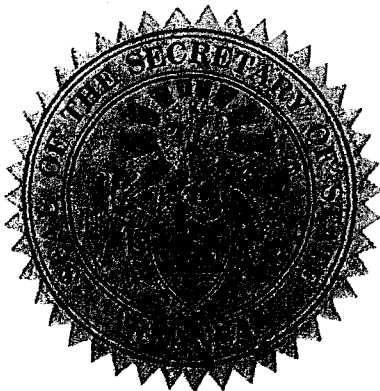
of

## FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS

filed in this office

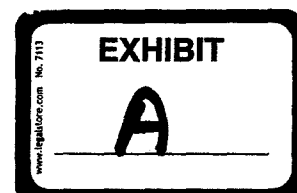
December 17, 2008

In Testimony Whereof, I have hereunto set my hand and affixed my official Seal. Done at my office in the City of Little Rock, this 17th day of December 2008.



*Charlie Daniels*

Secretary of State



FIRST BAPTIST CHURCH OF ROGERS

AMENDED ARTICLES OF INCORPORATION  
OF  
FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS

ARTICLES OF AMENDMENT WITH RESTATEMENT

FILED: 12/17/08, #Pages: 6

Arkansas Secretary of State  
Business Services Division

I, the undersigned, being the Chairman of the Trustees of the FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS, INC., a corporation duly organized under the laws of the State of Arkansas, hereby certifies in accordance with the Arkansas Non Profit Act (Act 1147 of 1993) that:

1. The name of the corporation is FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS, INC.
2. The AMENDED ARTICLES OF INCORPORATION were adopted on the 8th day of June, 2008.
3. The following provision of the Articles of Incorporation of the Corporation was amended to read as follows:

Articles of Incorporation

Of

First Baptist Church of Rogers, Arkansas

We, the undersigned, natural persons, over the age of eighteen (18) years, do adopt the following Restatement of Articles of Incorporation of FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS.

Article One  
Name

The name of the Corporation is

FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS  
and located in Rogers, Arkansas

Article Two  
Duration

The period of the Corporation's duration is perpetual.

Article Three  
Non-Profit Corporation

The incorporator has been authorized to execute these Articles of Incorporation by the consent of a majority of the members of the incorporated association.

**Article Four**  
**Purposes**

**Section 1:** The Corporation is organized and shall be operated exclusively for religious purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. More particularly, the purposes of this organization are:

- (a) To spread the Gospel of Jesus Christ and the worship of God among its members and attendants, and practice the Christian virtues inculcated in the Holy Scriptures.
- (b) To employ and discharge ordained ministers of the Gospel, and others, to conduct and carry on divine services at the place of worship of the members of the Corporation, and elsewhere, and to collect and disburse any and all necessary funds for the maintenance of said Corporation and the accomplishments of its purposes.
- (c) To conduct, accomplish and carry on its objectives, functions and purposes or any part thereof set forth in the Constitution, if any of First Baptist Church of Rogers, Arkansas, as amended from time to time, within or without the State of Arkansas.

**Section 2:** This Corporation is also organized to promote, encourage, and foster any other similar religious and educational activities; to accept, hold, invest, and reinvest and administer any gifts, legacies, bequests, devises, funds and property of any sort or nature, and to use, expend, or donate the income or principal thereof for, and to devote the same to, the foregoing purposes of the Corporation; and to do any and all lawful acts and things which may be necessary, useful, suitable, or proper for the furtherance of accomplishment of the purposes of this Corporation. Provided however, no act may be performed which would violate Section 501(c)(3) of the Internal Revenue Code of 1986, as it now exists or as it may hereafter be amended.

**Section 3:** In order to carry out the above-stated purposes, the Corporation shall have all those powers set forth in the Arkansas Non-Profit Corporation Act of 1993, as it now exists or as it may hereafter be amended. The powers of the Corporation to promote the purposes set out above are limited and restricted in the following manner:

- (a) No part of the net earnings of the Corporation shall inure to

the benefit of or be distributed to its incorporators, officers or other private persons, except that the Corporation shall be authorized and empowered to make payments and distributions (including reasonable compensation for services rendered to or for the Corporation) in furtherance of its purposes as set forth in the Articles. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of the Articles, the Corporation shall not carry on any other activities not permitted to be carried on by (i) a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended or corresponding provisions of any subsequent federal tax laws, or (ii) a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended, or corresponding provisions.

- (b) In the event the Corporation is in any one year a "private foundation" as defined by Section 509(a) of the Internal Revenue Code of 1986, as amended or corresponding provisions of any subsequent federal tax laws, it shall be required to distribute its income for such taxable year at such time and in such manner as not to subject the foundation to taxation under Section 4942 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws; and further shall be prohibited from: (i) any act of "self dealing" as defined in Section 4941(d) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws; (ii) retaining any "excess business holdings" as defined by Section 4943(c) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax; (iii) making any investments in such manner as to subject the foundation to taxation under Section 4944 of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws; or (iv) making any taxable expenditures as defined in Section 4945(d) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws.

- (c) No gift or grant will be accepted if it contains major conditions which would restrict or violate any of the religious or educational purposes or if it would require serving a private as opposed to public interest.
- (d) Upon the dissolution of the Corporation, the Corporation shall, after paying or making provision for payment of all the liabilities of the Corporation, distribute all of the assets of the Corporation to the Arkansas Baptist State Convention of Little Rock, Arkansas or to another church of like faith and order under that is a qualified charitable organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding section of any future federal code, which will be determined by church action and shall require at least two-thirds (2/3) of the vote of the members present at such meeting.

#### **Article Five** **Registered Office and Registered Agent**

The Registered Office of the Corporation shall be located at 626 W. Olive Street, Rogers, Arkansas 72756 and the name of the Registered Agent at such address shall be Raleigh O. Lane.

#### **Article Six** **Membership**

The Corporation shall have one or more classes of members. The number, qualifications, and relative rights of each class shall be as set forth in the Bylaws. The Corporation is a church and the management of its affairs is vested in its members pursuant to Arkansas Non-Profit Corporation Act of 1993.

#### **Article Seven** **Indemnification**

To the maximum extent permitted , or required by the Arkansas Non-Profit Corporation Act of 1993, as it now exists or as it may be amended in the future, the Corporation shall indemnify and advance expenses to persons who are officers, directors, employees, or agents.

#### **Article Eight** **Trustees**

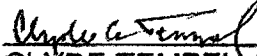
The names and addresses of each Trustee of the corporation are:

**Name:**

**Address:**



MITCH LOCKHART, Trustee  
5209 S. 46<sup>th</sup> Street, Rogers, AR 72758



CLYDE TEMPEL, Trustee  
14248 Andover Lane, Rogers, AR 72756

This document prepared by:

Edwin N. McClure  
Arkansas Bar Number 86118  
Matthews, Campbell, Rhoads, McClure, Thompson & Fryauf, P.A.  
119 South Second  
Rogers, AR 72756  
479/636-0875  
479/636-8150 facsimile  
enm@mcrmt.com


Joe Doshier  
Clyde Tempel  
Mitch Lockhart

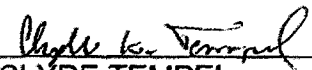
804 Petite Court, Rogers, AR 72756  
14248 Andover Lane, Rogers, AR 72756  
5209 S. 46<sup>th</sup> Street, Rogers, AR 72758

**Article Nine**  
**Construction**

All references in the Articles of Incorporation to statutes, regulations or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time.

IN WITNESS WHEREOF, we have hereunto set our hands, this 30<sup>th</sup> day of November, 2008.

  
\_\_\_\_\_  
JOE DOSHIER


  
\_\_\_\_\_  
CLYDE TEMPEL

  
\_\_\_\_\_  
MITCH LOCKHART

4. This amendment was adopted by the TRUSTEES of FIRST BAPTIST CHURCH OF ROGERS, ARKANSAS, INC. on June 8, 2008.

IN WITNESS WHEREOF, the Corporation has caused its corporate name to be subscribed by its TRUSTEES, who hereby verify that the statements contained in the foregoing AMENDED ARTICLES OF INCORPORATION are true and correct to the best of her knowledge and belief, and duly attested on this 30<sup>th</sup> day of November, 2008.

FIRST BAPTIST CHURCH OF ROGERS,  
ARKANSAS, INC.

  
\_\_\_\_\_  
JOE DOSHIER, Chairman  
804 Petite Court, Rogers, AR 72756  
  
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# Aberdeen Broadcast Services

22362 Gilberto, Suite 120  
Rancho Santa Margarita, CA 92688  
abercap.com 800-688-6621

## Price Quote

**Account** First Baptist Church Rogers  
3364 West Pleasant Grove Rd.  
Rogers AR 72758

**Quote ID** 01926  
**Status** Open  
**Quote Good until:** 09/28/2013

**Project Name:** STANDARD Captioning &AberFast Digital Distribution

**Specifications:** SERVICE & WORKFLOW OVERVIEW: Aberdeen to provide client with AberCap transcription and closed captioning services, as well as AberFast digital file delivery services for weekly 60 minute programming. Client master files to be uploaded via AberFast electronic file transfer system (please see below for note on storage fee to be assessed, only if storage service requested) in Apple Pro Res 422 LT (HD) file format or comparable specifications per Aberdeen guidelines. Files to adhere to Aberdeen file specifications ([http://abercap.com/pdf/Aberdeen\\_DFD\\_Broadcast\\_Standards.pdf](http://abercap.com/pdf/Aberdeen_DFD_Broadcast_Standards.pdf)) and in conjunction with station requirements (leader elements, aspect ratio, center cut considerations, etc.). Client files to be uploaded Monday evening and should be available for Aberdeen to start work start of business (PST) on Tuesday morning. Aberdeen will caption and deliver custom made file in accordance to on-air play server specification to station by Friday (Central) morning.

**ADDITIONAL FEE(S) NOTE (VIDEO/AUDIO/CAPTIONING):** A full or partial charge may apply on top of charges detailed in line items below should Aberdeen be required to re-transcode any files due to issues stemming from provision of non-airable or unacceptable master video or caption files provided by client. Non-airable or unacceptable files may include, but are not limited to, master video and/or audio that does not meet TV broadcast standards or Aberdeen standards (see above specs link). Editing, quality assurance and alteration or restoration charges may apply also if required. If stations require tape back-up until station verifies that file only delivery approved, then the client will need to organize delivery of tape(s) and cover such additional expenses during such a tape/file overlap. Please note that additional charges also may apply should client resubmit/upload files due to producer preference changes to original master files previously uploaded to Aberdeen. Each upload to Aberdeen is considered an order for services and appropriate fees to apply as defined above and below.

**IMPORTANT FILE STORAGE FEE NOTE:** This service NOT currently being provided. If client orders this service, it must be at the time of file submission or retro-active storage fees to apply. Client to pay storage fee for keeping content on Aberdeen system for fulfilling future distribution orders. File storage rate is \$.45 per GB per month. Please note that, if service added, the total fees will need to be added to this quote, which have yet to be calculated. Also noteworthy, each individual file size rounded up to the nearest GB when calculating billable cost.

**STATION SET-UP FEES:** Please see separate quote for one-time station set-up fees that correspond to with this work. Testing and coordination with stations will begin once the station set-up fees have been paid in full via acceptable Aberdeen payment method as detailed in quote(s). Client is responsible for continuing to deliver programming as per usual and is expected to take on new delivery requirements from new stations until AberFast file only delivery solution approved as sole distribution method.

**PHONE NUMBER SET-UP FEES:** Please ask about this service.

**Comments:** Thank you for the opportunity to service your ministry!  
**Effective Date:** 08/29/2013  
**Acct. Exec.:** STEVE

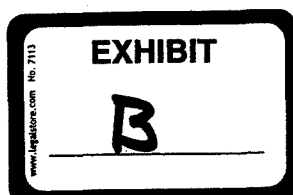
### Payment Policy

**One-time projects:** Prepayment Required

**Daily/Weekly/Continuous work contracts:** : Prepayment required for two complete invoicing periods, after which clients who meet a certain criteria may be switched to monthly invoice/billing (NET15) on the first business day of the following month

**Accepted forms of payment:** Check thru ACH (physical check or ask for Aberdeen electronic form), Credit Card, Cash or Cashier's Check.

**TRT/Pricing Guidelines:** As per industry standards, TRT of each individual file will be rounded up to the next full minute for billing purposes. If TRT changes amount to more than a 10% increase in price over quote, Client will receive order confirmation with updated price total and Client approval is needed to move forward. If TRT changes result in less than a 10% increase in price over quote, project will automatically be moved into production and client will see final price on order confirmation.





Description	Qty	Unit	Unit Price	Line Total
<b>Roll-Up Standard (60 minute program)</b> Standard is high quality roll-up captioning with quality checks completed by the transcriber and caption editor. Speakers identified with chevrons. Captions move around on-screen graphics. Accuracy rate is 99.5% or better. For more detail: <a href="http://knowledgebase.abercap.com/index.php?/article/AA-00432">http://knowledgebase.abercap.com/index.php?/article/AA-00432</a>	1	EA	450.00	450.00
<b>Transcript in Word Doc (included)</b> This is for an option to receive transcript in Word Document. Service included at no additional cost.	1	EA	25.00	0.00
<b>AberFast File Delivery HD Source (from client)</b> Client to upload their master video file to Aberdeen via our AberFast HotFolder. Aberdeen will QC, transcode video to individual TV station specifications (inserting closed captions if necessary) and deliver video file to specified station via the AberFast managed transfer system that will also provide email confirmation to you.	1	EA	0.00	0.00
<b>AberFast 60 min Delivery HD - KNEW (KARK)</b> Client to upload their master video file to Aberdeen via our AberFast HotFolder. Aberdeen will QC, transcode video to individual TV station specifications (inserting closed captions if necessary) and deliver video file to specified station via the AberFast managed transfer system that will also provide email confirmation to you.	1	EA	117.00	117.00
<b>Convenience Fee (3%)</b> There is a 3 % convenience fee for credit card transactions. Only major (AMEX, VISA, or MasterCard) credit cards accepted. Credit card information is still required with ACH (electronic check/"check by phone") option and will be authorized (hold placed on card for total project amount) until ACH payment has processed. Regardless of payment preference, payment to be processed upon submission of each program for an introductory period of two complete invoicing periods. Monthly invoice/billing (NET15) will be an option extended to clients who meet a certain criteria after the introductory period is over. All clients who are switched to monthly invoicing/billing (NET15) will be switched on the first business day of the month following their introductory period.	1	EA	17.01	17.01
<b>Quote Total:</b>				<b>584.01</b>

Last Name	First Name	Title	Business	Mobile	EMAIL ADDR
Long	David	Director - Prod/Dept	(479) 636-3451	(479) 531-3622	dlong@fbcrogers.org

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First Baptist Church  
Expenses vs Budget-Media Dir  
January 2012

Accounts	Actual Spent this month	This months Budget	Spent to Date	Budget to Date	Total Budget for 2013
Expenses					
Outreach Ministries					
582400 - TV Ministry Air Time	3,400.00	3,128.50	3,400.00	3,128.50	37,542.00
Total Outreach Ministries	3,400.00	3,128.50	3,400.00	3,128.50	37,542.00
Total Expenses	3,400.00	3,128.50	3,400.00	3,128.50	37,542.00
Net Total					

